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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
For FY 2005** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

50.00

Complete If Known

| | |
|----------------------|-------------------|
| Application Number | 09/683,185 |
| Filing Date | November 29, 2001 |
| First Named Inventor | Albert Rabinovich |
| Examiner Name | D. Yee |
| Art Unit | 1742 |
| Attorney Docket No. | EH-10417 (04-879) |

METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order None Other (please identify): _____ Deposit Account Deposit Account Number: 21-0279 Deposit Account Name: _____

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Small Entity Fee (\$) | Fee (\$) |
|--------------|----------------|----------|---------------|-----------------------|----------|
| 37 | - 20 or HP = 1 | x 50 | = 50 | 50 | 25 |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---------------|---------------|----------|---------------|---------------------------|----------|---------------|
| 4 | - 3 or HP = 0 | x 50 | = 0 | | | |

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fee Paid (\$)

Fee Paid (\$)

SUBMITTED BY

| | | | |
|-------------------|--------------------------|---|------------------------|
| Signature | <i>William B. Slatte</i> | Registration No. (Attorney/Agent) 37,238 | Telephone 203-777-6628 |
| Name (Print/Type) | William B. Slatte | | Date October 25, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TELECOPIER COVER LETTERTo: USPTOFrom: William B. SlateFAX #: 571-273-8300Date: October 25, 2005Your Ref.: SN 09/683,185Our Ref.: EH-10417 (04-679)Number of Pages including this sheet: 13Confirmation Copy to Follow: Yes XX No

* Comments:

I hereby certify that this correspondence is being faxed this 25th day of October, 2005 to the USPTO, at Fax No. 1-571-273-8300.

Antoinette Sullo

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OCT 25 2005

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants: Rabinovich *et al.* Docket No: EH-10417 (04-679)
Serial No: 09/683,185 Examiner: D. Yee
Filed: 29 November 2001 Art Unit: 1742
Title: Method and Apparatus for Heat Treating Date: October 25, 2005
Material

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER CFR § 1.111

In response to the Office Action dated July 25, 2005, please amend the claims as provided on the following sheets.

10/26/2005 CNGUYEN 00000060 210279 09683185
01 FC:1202 50.00 DA